



General Assembly
Seventy-third Session

5 October 2018

Sixth Committee

Agenda item 79:
Criminal accountability of UN officials and experts on
mission

Statement by
Denmark, Finland, Iceland, Norway and Sweden

Delivered by Ambassador Tore Hattrem
Permanent Representative, Norway

Chair,

I have the honour to speak on behalf of the five Nordic countries: Denmark, Finland, Iceland, Sweden, and my own country, Norway.

The issue of criminal accountability of UN officials and experts on mission is still critically important. At this point, it is imperative that both the UN and its Member States, through policy, legislation and action, exercise a zero-tolerance policy towards crimes committed by UN officials and experts on mission.

Over the past few years, the UN has taken important and timely steps to root out sexual exploitation and abuse from UN structures and operations. We support the ongoing work of

(Check against delivery)

the Special Coordinator on improving the United Nations' response to sexual exploitation and abuse, and the Secretary-General's strategy to improve the organisation's system-wide approach to preventing and responding to sexual exploitation and abuse. The Nordic countries welcome the creation of the Circle of Leadership, consisting of global leaders who actively support the Secretary-General's agenda. The Circle of Leadership provides the required high-level support on this pressing issue. However, although visible results have been achieved, there is still a long way to go.

The Nordic countries welcome the fact that, as of 4 September 2018, 98 Member States have signed the Voluntary Compact on Preventing and Addressing Sexual Exploitation and Abuse. We hope that the Compact will send a strong signal of joint commitment and mutual accountability on the part of the UN and its Member States on preventing and addressing sexual abuse. Nevertheless, there is still a long way to go before the Secretary-General's zero-tolerance policy is fully implemented.

The Nordic countries agree that there is a need for continued focus on sexual exploitation and abuse. At the same time, we recognise the fact that the topic of criminal accountability has a considerably broader scope and includes any crime committed by UN officials and experts on mission.

Effective measures for ensuring accountability for those responsible for criminal conduct are essential. The Nordic countries would like to reiterate that the primary responsibility for addressing this serious issue lies with the UN's Member States and their respective national jurisdictions. It is imperative that Member States ensure and establish jurisdiction over crimes committed by their nationals while serving as UN officials or experts on mission.

The Nordic countries urge all Member States that have not yet done so to submit relevant information to the Secretary-General regarding the status of their domestic laws on this matter, in accordance with paragraphs 26 and 27 of resolution 72/112.

In addition to reporting, further measures must be considered to ensure transparency and provide incentives for Member States to undertake the necessary legislative amendments. In this regard, the Nordic countries would like to reiterate our previous proposal on developing a general policy on minimal requirements for States whose nationals serve as UN officials and experts on mission. A policy of this kind could build on the Voluntary Compact. An essential requirement in this respect should be that all States have established relevant jurisdiction to enable the effective investigation and prosecution of potential crimes committed by their nationals while in service for the UN abroad.

The Nordic countries look forward to a constructive debate on a comprehensive international legal framework to address criminal conduct by UN officials and experts on mission. We would like to thank the Group of Legal Experts for the Draft Convention, and we see this year's discussion of the Convention as an important step towards fighting impunity.

Chair,

We would like to thank the Secretary-General for the report that has been submitted under this agenda item (A/73/129), which provides valuable information on Member States' reporting on, and follow-up of, cases of this kind.

The report continues to paint a gloomy picture. Of the 148 referrals for criminal accountability, Member States have only provided the Secretary-General with information on their national follow-up in 31 instances. This shows that the response to these cases is insufficient, and the Nordic countries find this unacceptable. As the list of referred cases lengthens, without the Member States providing the necessary information on their follow-up at the national level, the pressure on the UN and its Member States to address this grave problem increases.

On a positive note, we are pleased to see that the Secretary-General has now received information on the status of investigation and any prosecutorial or disciplinary action taken in 31 cases, which is four more than in 2017. We encourage States that have not provided the required information to follow the lead of those that have.

As for the resolution on criminal accountability of UN officials and experts on mission, the wording in previous resolutions has precluded the inclusion in the Secretary-General's report of information on which Member States have – and more importantly, which Member States have not – provided feedback on their follow-up of cases.

The Nordic countries would like to reiterate our call for this year's resolution to contain wording to the effect that this information should be included in the Secretary-General's report. It is crucial that we ensure accountability for those responsible for crimes committed while in UN service. The very credibility and integrity of the UN and its missions are now at stake. As for Member States' willingness and ability to hold their own nationals accountable for crimes committed while in service for the UN, nothing less than full transparency is acceptable.

Chair,

In closing, the Nordic countries would like to stress that all Member States must uphold the principles of due process and the rule of law when investigating and prosecuting cases covered by this segment. Moreover, it is equally important to ensure the effective protection of victims, witnesses and whistle-blowers.

Thank you.